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*and*

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*Counsel for the Official Committee  
of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION**

**-and-**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

District Case No. 20-01493 (HSG)

**OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS'  
STATEMENT OF ISSUES,  
DESIGNATION OF RECORD, AND  
CERTIFICATION REGARDING  
TRANSCRIPTS FOR APPEAL OF  
ORDERS REGARDING  
POSTPETITION INTEREST**

Affects PG&E Corporation  
 Affects Pacific Gas and Electric Company  
 Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM)*

1                   Appellant, the Official Committee of Unsecured Creditors (the “Creditors’ Committee”)  
2 appointed in the above-captioned bankruptcy cases, hereby submits this statement of issues and  
3 designation of items to be included in the record in connection with its appeal from (i) the  
4 *Interlocutory Order Regarding Postpetition Interest*, entered on February 6, 2020 [Docket No.  
5 5669], and (ii) the *Memorandum Decision Regarding Postpetition Interest*, entered on December  
6 30, 2019 [Docket No. 5226] (together, the “PPI Orders”), by the United States Bankruptcy Court  
7 for the Northern District of California (the “Bankruptcy Court”).

8                   As stated in its cross-motion for leave to appeal [Docket No. 6101], the Creditors’  
9 Committee submits that, should the United States District Court for the Northern District of  
10 California (the “District Court”) grant leave to appeal the PPI Orders or determine the PPI Orders  
11 are appealable as of right, the Creditors’ Committee should be granted leave to participate in the  
12 resulting appeal, consistent with its participation in the proceedings before the Bankruptcy Court,  
13 to represent the interests of its constituency. Although the District Court has not yet ruled on the  
14 appealability of the PPI Orders, out of an abundance of caution, the Creditors’ Committee submits  
15 this statement, designation, and certification under Federal Rule of Bankruptcy Procedure 8009(a).

16                   **STATEMENT OF ISSUE ON APPEAL**

17                   The issue on appeal is whether the Bankruptcy Court erred in holding that, in a chapter 11  
18 bankruptcy case of a solvent debtor, the debtor may pay unsecured creditors postpetition interest  
19 on their claims at the federal judgment rate while purporting to unimpair them under the plan of  
20 reorganization.

21                   **DESIGNATION OF RECORD ON APPEAL**

22                   Appellant incorporates by reference those items designated for inclusion in the record on  
23 appeal by (i) Appellant the Ad Hoc Committee of Holders of Trade Claims, on March 5, 2020  
24 [Docket No. 6126], and (ii) Appellee the Debtors, on March 19, 2020 [Docket No. 6370].  
25 Appellant reserves the right to designate additional items for inclusion in the record and/or restate  
26 issues presented on appeal.

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## **CERTIFICATION REGARDING TRANSCRIPTS**

Appellant certifies pursuant to Federal Rule of Bankruptcy Procedure 8009(b) that it is not ordering any transcripts. All transcripts have been prepared, are filed on the docket, and have been designated in the record.

DATED: March 19, 2020

MILBANK LLP

/s/ Gregory A. Bray  
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SAMUEL A. KHALIL  
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THOMAS R. KRELLER

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